## AMENDMENTS TO THE CLAIMS

This listing of claims replaces all prior versions of claims in the application.

1. (Previously Presented) A DNA fragment that consists of a non-translation region located upstream of the 5'-terminal side of YFL014W gene of *Saccharomyces cerevisiae* and that has a cold-inducible promoter function, wherein said non-translation region is obtained by PCR-amplification using the nucleotide sequences of SEQ ID NO: 19 and SEQ ID NO: 20 as primers and *Saccharomyces cerevisiae* genomic DNA as a template.

2. (Cancelled)

3. (Currently Amended) An expression vector comprising the DNA fragment according to claim 1~~ or 27~~.

4. (Previously Presented) The expression vector according to claim 3, characterized by comprising a foreign gene or foreign DNA fragment downstream of said DNA fragment.

5. (Previously Presented) A transformant, which is produced by transforming a host with the expression vector according to claim 3.

6. (Previously Presented) The transformant according to claim 5, wherein said host is yeast.

7. (Previously Presented) A method for producing a protein, characterized by comprising decreasing a culture temperature and culturing the transformant according to claim 5 at the decreased temperature.

8. (Previously Presented) The method according to claim 7, wherein the culture temperature is 10°C or lower.

9. (Previously Presented) A method for regulating RNA production, characterized by comprising decreasing a culture temperature and culturing the transformant according to claim 5 at the decreased temperature.

10. (Previously Presented) The method according to claim 9, wherein the culture temperature is 10°C or lower.

11.-12. (Cancelled)

13. (Previously Presented) A transformant, which is produced by transforming a host with the expression vector according to claim 4.

14. (Previously Presented) The transformant according to claim 13, wherein said host is yeast.

15. (Previously Presented) A method for producing a protein, characterized by comprising decreasing a culture temperature and culturing the transformant according to claim 6 at the decreased temperature.

16. (Previously Presented) The method according to claim 15, wherein the culture temperature is 10°C or lower.

17. (Previously Presented) A method for regulating RNA production, characterized by comprising decreasing a culture temperature and culturing the transformant according to claim 6 at the decreased temperature.

18. (Previously Presented) The method according to claim 17, wherein the culture temperature is 10°C or lower.

19. (Previously Presented) A method for producing a protein, characterized by comprising decreasing a culture temperature and culturing the transformant according to claim 13 at the decreased temperature.

20. (Previously Presented) The method according to claim 19, wherein the culture temperature is 10°C or lower.

21. (Previously Presented) A method for regulating RNA production, characterized by comprising decreasing a culture temperature and culturing the transformant according to claim 13 at the decreased temperature.

22. (Previously Presented) The method according to claim 21, wherein the culture temperature is 10°C or lower.

23. (Previously Presented) A method for producing a protein, characterized by comprising decreasing a culture temperature and culturing the transformant according to claim 14 at the decreased temperature.

24. (Previously Presented) The method according to claim 23, wherein the culture temperature is 10°C or lower.

25. (Previously Presented) A method for regulating RNA production, characterized by comprising decreasing a culture temperature and culturing the transformant according to claim 14 at the decreased temperature.

26. (Previously Presented) The method according to claim 25, wherein the culture temperature is 10°C or lower.

27. (Currently Amended) A DNA fragment that has a cold-inducible promoter function and that hybridizes under stringent conditions with a second DNA fragment comprised of a non-translation region that is located upstream of the 5'-terminal side of YFL014W gene of *Saccharomyces cerevisiae* and that has a cold-inducible promoter function, wherein said non-translation region is obtainable by PCR-amplification using the nucleotide sequences of SEQ ID NO: 19 and SEQ ID NO: 20 as primers and *Saccharomyces cerevisiae* genomic DNA as a template, and wherein said stringent conditions comprise use of (i) a hybridization solution consisting of 5X SSC comprising 0.75 M NaCl and 0.75 M sodium citrate, and 5X Denhardt's reagent comprising 0.1% ficoll, 0.1% polyvinylpyrrolidone, 0.1% bovine serum albumin, and 0.1% sodium dodecyl sulfate at a temperature between 45°C and 65°C, and (ii) washing

performed in a washing solution consisting of 2X SSC and 0.1% SDS at a temperature between 45°C and 55°C.

28. (New) An expression vector comprising the DNA fragment according to claim 27.

29. (New) The expression vector according to claim 28, characterized by comprising a foreign gene or foreign DNA fragment downstream of said DNA fragment.

30. (New) A transformant, which is produced by transforming a host with the expression vector according to claim 28.

31. (New) The transformant according to claim 30, wherein said host is yeast.

32. (New) A method for producing a protein, characterized by comprising decreasing a culture temperature and culturing the transformant according to claim 30 at the decreased temperature.

33. (New) The method according to claim 32, wherein the culture temperature is 10°C or lower.

34. (New) A method for regulating RNA production, characterized by comprising decreasing a culture temperature and culturing the transformant according to claim 30 at the decreased temperature.

35. (New) The method according to claim 34, wherein the culture temperature is 10°C or lower.

36. (New) A transformant, which is produced by transforming a host with the expression vector according to claim 29.

37. (New) The transformant according to claim 36, wherein said host is yeast.

38. (New) A method for producing a protein, characterized by comprising decreasing a culture temperature and culturing the transformant according to claim 31 at the decreased temperature.

39. (New) The method according to claim 38, wherein the culture temperature is 10°C or lower.

40. (New) A method for regulating RNA production, characterized by comprising decreasing a culture temperature and culturing the transformant according to claim 31 at the decreased temperature.

41. (New) The method according to claim 40, wherein the culture temperature is 10°C or lower.

42. (New) A method for producing a protein, characterized by comprising decreasing a culture temperature and culturing the transformant according to claim 36 at the decreased temperature.

43. (New) The method according to claim 42, wherein the culture temperature is 10°C or lower.

44. (New) A method for regulating RNA production, characterized by comprising decreasing a culture temperature and culturing the transformant according to claim 36 at the decreased temperature.

45. (New) The method according to claim 44, wherein the culture temperature is 10°C or lower.

46. (New) A method for producing a protein, characterized by comprising decreasing a culture temperature and culturing the transformant according to claim 37 at the decreased temperature.

47. (New) The method according to claim 46, wherein the culture temperature is 10°C or lower.

48. (New) A method for regulating RNA production, characterized by comprising decreasing a culture temperature and culturing the transformant according to claim 37 at the decreased temperature.

49. (New) The method according to claim 48, wherein the culture temperature is 10°C or lower.